

HOUSE BILL 191

I3, I4

6lr1003

(PRE-FILED)

By: **Delegate Wims**

Requested: September 29, 2025

Introduced and read first time: January 14, 2026

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – Retail Transactions – Cash Payments**

3 FOR the purpose of prohibiting a merchant, in a certain transaction, from prohibiting a
4 person from making a cash payment to purchase a good or service, requiring a person
5 to purchase a good or service by using a credit or debit card, or charging or collecting
6 from a person a fee for making a cash payment for the purchase of a good or service;
7 establishing that a violation of this Act is an unfair, abusive, or deceptive trade
8 practice subject to certain enforcement and penalty provisions under the Maryland
9 Consumer Protection Act; and generally relating to retail cash transactions.

10 BY repealing and reenacting, with amendments,
11 Article – Commercial Law
12 Section 13–301(14)(xlvii)
13 Annotated Code of Maryland
14 (2025 Replacement Volume)

15 BY repealing and reenacting, without amendments,
16 Article – Commercial Law
17 Section 13–301(14)(xlviii)
18 Annotated Code of Maryland
19 (2025 Replacement Volume)

20 BY adding to
21 Article – Commercial Law
22 Section 13–301(14)(xlix) and 14–1330
23 Annotated Code of Maryland
24 (2025 Replacement Volume)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
26 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Commercial Law

13–301.

Unfair, abusive, or deceptive trade practices include any:

(14) Violation of a provision of:

(xlvii) Title 14, Subtitle 50 of this article; [or]

(xlviii) Section 13–411.1(c)(2) of the Transportation Article; or

(XLIX) SECTION 14–1330 OF THIS ARTICLE; OR

14–1330.

(A) IN THIS SECTION, “MERCHANT” HAS THE MEANING STATED IN § 13–101 OF THIS ARTICLE.

(B) (1) THIS SECTION APPLIES ONLY TO AN IN–PERSON RETAIL TRANSACTION TOTALING AT LEAST \$5 AND LESS THAN \$300.

(2) THIS SECTION DOES NOT APPLY TO:

(I) A TELEPHONE, MAIL, OR INTERNET TRANSACTION; OR

(II) A TRANSACTION TO PAY TO PARK A VEHICLE IN:

1. A PARKING LOT OR GARAGE; OR

2. A METERED PARKING SPACE.

(C) A MERCHANT MAY NOT:

(1) PROHIBIT A PERSON FROM MAKING A CASH PAYMENT TO PURCHASE A GOOD OR SERVICE;

(2) REQUIRE A PERSON TO USE A CREDIT OR DEBIT CARD TO PURCHASE A GOOD OR SERVICE; OR

(3) CHARGE OR COLLECT FROM A PERSON A FEE FOR MAKING A CASH PAYMENT FOR THE PURCHASE OF A GOOD OR SERVICE.

(D) A VIOLATION OF THIS SECTION IS:

(1) AN UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE WITHIN THE MEANING OF TITLE 13 OF THIS ARTICLE; AND

(2) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN TITLE 13 OF THIS ARTICLE.

(E) (1) SECTIONS 13-410(A) AND (B) AND 13-411 OF THIS ARTICLE DO NOT APPLY TO A VIOLATION OF THIS SECTION.

(2) THE DIVISION OF CONSUMER PROTECTION OF THE OFFICE OF THE ATTORNEY GENERAL SHALL PROVIDE A MERCHANT WHO VIOLATES THIS SECTION WITH AT LEAST TWO SEPARATE OPPORTUNITIES TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

(3) (I) A MERCHANT WHO VIOLATES THIS SECTION AFTER TWO SEPARATE OPPORTUNITIES TO COMPLY UNDER PARAGRAPH (2) OF THIS SUBSECTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 FOR EACH VIOLATION.

(II) A MERCHANT WHO VIOLATES THIS SECTION AFTER HAVING BEEN FINED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS SUBJECT TO A FINE NOT EXCEEDING \$10,000 FOR EACH SUBSEQUENT VIOLATION.

(III) THE FINES PROVIDED FOR IN SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH:

1. ARE CIVIL PENALTIES RECOVERABLE IN ACCORDANCE WITH § 13-410(C) OF THIS ARTICLE; AND

2. SHALL BE SET IN ACCORDANCE WITH § 13-410(D) OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.